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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/920,827	08/03/2001	Jai Chul Kim	HI-0038	7512

34610 7590 12/11/2007  
KED & ASSOCIATES, LLP  
P.O. Box 221200  
Chantilly, VA 20153-1200

EXAMINER
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ADDY, THJUAN KNOWLIN

ART UNIT	PAPER NUMBER
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2614

MAIL DATE	DELIVERY MODE
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12/11/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/920,827

Applicant(s)

KIM, JAI CHUL

Examiner

Thjuan K. Addy

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 32,34-36,39,40 and 42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 32,34-36,39,40 and 42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment filed on October 15, 2007 has been entered. Claims 32 and 39 have been amended. Claims 1-31, 33, 37, 38, and 41 have been cancelled. No claims have been added. Claims 32, 34-36, 39, 40, and 42 are now pending in this application, with claims 32 and 39 being independent.
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/15/2007 has been entered.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 32, 34-36, 39, 40, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crisp (US 7,209,772), in view of Slipy et al (US 5,848,152).

4. In regards to claims 32, 37, and 39, Crisp discloses a mobile telephone (See Fig. 3 and radio/portable telephone handset), comprising: a telephone body (See Fig. 3 and main body 2); a button portion provided on the telephone body (See Fig. 3, group 10 of keys or buttons, and group 11 of control keys or buttons); and a pair of grooves (See Fig. 3 and groove 20, which is providing on each side of the main body) extending along sides of the telephone body adjacent the button portion (See Fig. 3), the pair of grooves extending substantially the length of the button portion (See col. 4 lines 61-64).

Although Crisp discloses a slide type button cover (See Fig. 3 and sleeve portion 3) (See col. 4 lines 3-5 and col. 4 lines 61-67), which is configured to mate with the pair of grooves (See Fig. 3 and col. 4 lines 61-67), and wherein the button cover (e.g., sleeve portion 3) is just for covering the button portion (See col. 4 lines 13-22 and col. 4 lines 38-44), Crisp does not disclose a plurality of interchangeable button covers, each having a frame configured to mate with the pair of grooves, wherein the plurality of interchangeable button covers include a bar type button cover, a flip type button cover, and a slide type button cover, and wherein the button covers are just for covering the button portion. Slipy, however, discloses wherein the plurality of interchangeable button covers (e.g., faceplates) include a bar type button cover (See Fig. 1 and faceplate 104) and a flip type button cover (See Fig. 10 and keypad cover 418) (therefore, it would have been obvious to include a slide type button cover, as shown in the Crisp reference), and wherein the button covers are just for covering the button portion (See Fig. 10 and keypad cover 418). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate these features as part

of the mobile telephone, as a way of providing a distinctive user interface appearance for the telephone, thereby giving the telephone one distinctive appearance, of a plurality of distinctive telephone appearances, by allowing the user to change the faceplate/cover and choose another distinctive appearance at a later time. In regards to the limitations, wherein the plurality of interchangeable button covers each further comprise a pair of projections positioned at upper ends of the frames of the interchangeable button covers and configured to mate with corresponding fixing recesses disposed at upper ends of the plurality of grooves, Crisp discloses the mobile telephone, wherein the button cover comprise a pair of projections configured to mate with corresponding fixing recesses (See Fig. 9 and recesses 26) disposed at upper ends of the plurality of grooves (See col. 5 lines 11-38). Slipy discloses the plurality of interchangeable button covers (See Fig. 1, faceplate 104, and Fig. 10, keypad cover 418).

5. In regards to claim 34, Crisp discloses all of claim 34 limitations, except the mobile telephone, wherein the bar type button cover includes a button cover attached to or integral with the frame and having a keypad configured to cover and interlock with key buttons of the button portion. Slipy, however, discloses wherein the bar type button cover (See Fig. 1 and faceplate 104) includes a button cover attached to or integral with the frame and having a keypad (See Fig. 1 and keypad 106) configured to cover and interlock with key buttons of the button portion (See Fig. 1).

6. In regards to claim 35, Crisp discloses all of claim 35 limitations, except the mobile telephone, wherein the flip type button cover includes a button cover hingedly

connected to the frame for selectively covering and exposing the button portion. Slipy, however, does disclose the mobile telephone, wherein the flip type button cover includes a button cover hingedly connected to the frame for selectively covering and exposing the button portion (See Fig. 10 and keypad cover 418).

7. In regards to claim 36, Crisp discloses the mobile telephone, wherein the sliding type button cover (e.g., sleeve portion 3) includes a button cover attached to or integral with the frame such that when the frame mates with the pair of grooves (e.g., grooves 20) the button cover slides along the telephone body (e.g., main body 2) to cover or expose the button portions (See col. 4 lines 13-22 and col. 4 lines 38-44).

8. In regards to claims 40 and 42, Crisp discloses the mobile telephone, wherein the pair of projections are configured to slide along the length of the pair of grooves (e.g., grooves 20) and then mate with the corresponding fixing recesses (e.g., recesses 26) (See col. 5 lines 11-38).

### ***Response to Arguments***

9. Applicant's arguments filed 10/15/2007 have been fully considered but they are not persuasive.

10. Applicant argues that the in the Crisp device, the detents 23 are depressed below a surface of a bottom of the groove 20 for disengagement from the recess 16 to allow the sleeve portion 3 to continue to slide in a chosen direction, and thus the Crisp disclosed recesses 26 and detents 23 are only for a sleeve type cover.

11. In response to Applicant's argument that the in the Crisp device, the detents 23 are depressed below a surface of a bottom of the groove 20 for disengagement from the recess 16 to allow the sleeve portion 3 to continue to slide in a chosen direction, and thus the Crisp disclosed recesses 26 and detents 23 are only for a sleeve type cover, Examiner respectfully disagrees. For example, Crisp discloses the mobile telephone, wherein the button cover comprise a pair of projections configured to mate with corresponding fixing recesses (See Fig. 9 and recesses 26) disposed at upper ends of the plurality of grooves (See col. 5 lines 11-38). Slipy discloses the plurality of interchangeable button covers (See Fig. 1, faceplate 104, and Fig. 10, keypad cover 418).

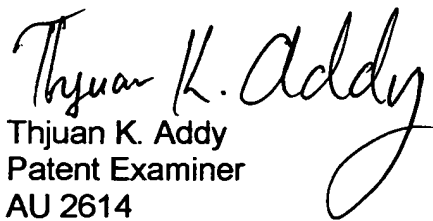
12. Furthermore, Applicant appears to be arguing the references individually. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

### **Conclusion**

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan K. Addy whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Thjuan K. Addy  
Patent Examiner  
AU 2614